

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

W.M.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

Case No. 18-cv-06672-JCS

**ORDER GRANTING MOTION FOR  
ATTORNEY'S FEES PURSUANT TO  
42 U.S.C. § 406(B)(1)**

Re: Dkt. No. 28

Stuart T. Barasch., an attorney of Olinsky Law Group, brings a motion pursuant to Social Security Act § 206(b)(1), 42 U.S.C. § 406(b)(1), for an award of attorney's fees under a contingent fee agreement ("Fee Agreement") between the Olinsky Law Group and Plaintiff W.M. providing for an award of 25% of any past-due benefits awarded as a result of this action. He has supplied a copy of the Fee Agreement and evidence reflecting that upon remand, the Commissioner awarded W.M. \$142,142.00 in past due benefits. According to Mr. Barasch, the hearing level representative Fee Agreement was approved and they will be paid \$6,000.00. The Olinsky Law Group therefore seeks the balance of the 25%, that is \$29,535.50. The Commissioner has filed a response stating that it takes no position on the reasonableness of the amount. W.M. was served with a copy of the motion and filed no objection. The Court has reviewed the time sheets supplied and finds that this amount is reasonable. Therefore, the Motion is GRANTED.

Attorney's fees in the total amount of Twenty Nine Thousand Five Hundred Thirty Five

1 Dollars and Fifty Cents (\$29,535.50) shall be paid to the Olinsky Law Group and shall be mailed  
2 to 250 S. Clinton St. Suite 210, Syracuse, NY 13202. Upon receipt of payment, Plaintiff's counsel  
3 shall promptly refund the EAJA fee of \$7,000 that was previously awarded in this matter to W.M.

4 **IT IS SO ORDERED.**

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6 Dated: November 29, 2021

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8 JOSEPH C. SPERO  
9 Chief Magistrate Judge  
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